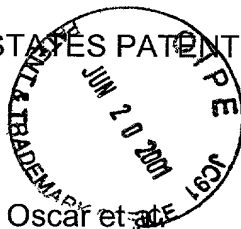


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant(s) : Robert S. Oscar et al. )  
 Serial No. : 09/811,769 )  
 Filed : March 20, 2001 )  
 For : Pharmacy Benefits Management Method )  
 and Apparatus )

Attorney Docket  
 No.: 746829-5

PRELIMINARY AMENDMENT

Commissioner for Patents  
 Washington, D.C. 20231  
 Box: Non-Fee Amendment

Dear Sir:

Prior to examination on the merits please amend the applications as follows:

Please amend the claims as follows:

14. (Amended) A pharmacy benefits management server comprising
- means for downloading information from a processor server having claim information relating to pharmacy benefits claims processed by a claims processing facility, said claim information including identification of drugs dispensed to patients;
  - means for downloading pharmacy benefits formulary information;
  - means for downloading pharmacy benefits plan structure information stored therein;
  - means for downloading price information relating to drugs in various classes stored therein; and
  - means for correlating the claim information with the benefits plan structure information, the price information, and the formulary information to identify expenses associated with selected drugs in accordance with the pharmacy benefits plan

structure information, alternative drugs in the same class as the selected drugs, and expenses associated with the alternative drugs.

27. (Amended) A pharmacy benefits management method comprising the steps of:

downloading claim information relating to pharmacy benefits claims processed by a claims processing facility, said claim information including identification of drugs dispensed to patients;

downloading pharmacy benefits formulary information;

downloading pharmacy benefits plan structure information;

downloading price information relating to drugs in various classes; and

correlating the claim information with the benefits plan structure information, the price information, and the formulary information to thereby identify drugs expenses associated with selected drugs in accordance with the pharmacy benefits plan structure information, alternative drugs in the same class as the selected drugs, and expenses associated with the alternative drugs.

Please add the following new claims:

40. A method of comparing alternative medication comprising the steps of;

storing pharmacy benefits formulary information;

storing pharmacy benefits plan structure information;

storing price information relating to drugs in various classes;

designating a particular class of drugs;

correlating the benefits plan structure information, the price information, and the formulary information; and

determining, based on said correlating step, drugs in the particular class and expenses associated with the drugs in the particular class.

41. The method as recited in claim 40, wherein the expenses in said determining step are out of pocket expense for a member of a benefits plan corresponding to the benefits plan structure information.

42. The method as recited in claim 40, wherein said designating step comprises determining a specific drug dispensed to a patient and designating a class for that specific drug.

43. The method as recited in claim 40 wherein the drugs in the particular class are therapeutic alternatives.

44. A method as recited in claim 40, wherein the benefits plan structure information and the formulary information relate to a multi-tier benefits plan.

45. A method as recited in claim 40, wherein the expenses include copayment information and total cost information.

46. A method of designing a pharmacy benefits plan comprising the steps of;

- storing pharmacy benefits formulary information;
- storing pharmacy benefits plan structure information;
- storing price information relating to drugs in various classes;
- designating at least one particular drug;
- correlating the benefits plan structure information, the price information, and the formulary information to;
- determining, based on said correlating step, expenses associated with the drugs in the particular class;
- displaying the expenses determined in said correlating step;
- changing at least one of the pharmacy benefits formulary information, the pharmacy benefits plan structure information and the particular drug designated in said designating step; and
- repeating said determining and designating step after said changing step.

47. The method as recited in claim 47, wherein said designating step comprises designating a type of drug dispensed to patients in a pharmacy benefits plan and said changing step comprises changing the designated drug for at least some of the patients.

48. The method as recited in claim 47, wherein said benefits structure information and said formulary information relate to a multi-tier benefits plan and said changing step comprises changing at least one of copayment level information and coinsurance percentage information.

REMARKS

Prior to examination, applicant requests entry of the amendments set forth herein.

The claims have been amended to eliminate minor typographical errors. New claims 40-48 have been added to recite additional aspects of the invention more completely. The amendments and new claims do not serve to narrow the scope of the original claims in any way and are not presented to overcome any issues of patentability.

Respectfully submitted,



---

Marc S. Kaufman  
Registration No. 35,212

MSK:dkf  
Attorney Docket No. 746829-3

NIXON PEABODY LLP  
8180 Greensboro Drive  
Suite 800  
McLean, VA 22102  
Telephone: (703) 790-9110  
Facsimile: (703) 883-0370

Enclosure:  
Version with markings to show changes made

**Version with markings to show changes made**

14. (Amended) A pharmacy benefits management server comprising

means for downloading information from a processor server having claim information relating to pharmacy benefits claims processed by a claims processing facility, said claim information including identification of drugs dispensed to patients;

means for downloading pharmacy benefits formulary information;

means for downloading pharmacy benefits plan structure information stored therein;

means for downloading price information relating to drugs in various classes stored therein; and

means for correlating the claim information with the benefits plan structure information, the price information, and the formulary information to identify [drugs] expenses associated with selected in accordance with the pharmacy benefits plan structure information, alternative drugs in the same class as the selected drugs, and expenses associated with the alternative drugs.

27. (Amended) A pharmacy benefits management method comprising the steps of:

downloading claim information relating to pharmacy benefits claims processed by a claims processing facility, said claim information including identification of drugs dispensed to patients;

downloading [having] pharmacy benefits formulary information;

downloading pharmacy benefits plan structure information;

downloading price information relating to drugs in various classes; and

correlating the claim information with the benefits plan structure information, the price information, and the formulary information to thereby identify drugs expenses associated with selected drugs in accordance with the pharmacy benefits plan structure information, alternative drugs in the same class as the selected drugs, and expenses associated with the alternative drugs.